IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH
&
THE HONOURABLE MR. JUSTICE HARUN-UL-RASHID

THURSDAY, THE 20TH SEPTEMBER 2007 / 29TH BHADRA 1929

LA.App..No. 212 of 2002()

(LAR NO.90/98 ON THE FILE OF THE SUB COURT,MUVATTUPUZHA)

APPELLANT: CLAIMANT

JOSEPH S/O. CHACKO, PAZHAYIDATH HOUSE,
KAKKOOR KARA, THIRUMARADY VILLAGE,
MUVATTUPUZHA TALUK.

BY ADV. SMT.SANTHAMMA ISSAC

RESPONDENTS:

STATE OF KERALA, REPRESENTED BY DISTRICT
COLLECTOR, ERNAKULAM KOCHI 682 030.

BY GOVT.PLEADER SRI.K.V.MANOJKUMAR.

THIS LAND ACQUISITION APPEAL HAVING BEEN FINALLY HEARD ON 20/09/2007, ALONG WITH LAA 213 & 258 OF 2002, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

KURIAN JOSEPH & HARUN-UL-RASHID, JJ.

L.A.A. Nos.212, 213 & 258 OF 2002

Dated 20th September, 2007.

J U D G M E N T

Kurian Joseph, J.

The claimants in L.A.R.Nos.90, 91 and 92 of 1998 on the file of the Sub Court, Moovattupuzha are before this Court seeking enhancement of land value. The acquisition is for the purpose of Moovattupuzha Valley Irrigation Project. It is seen that in exactly similar situations, this Court has fixed the land value at Rs.11,700/- per Are, by the judgment in L.A.A.260/02. Therefore, we hold that the appellants/claimants in these cases also will be entitled to refixation of the market value at the rate of Rs.11,700/- per Are and all the consequential and eligible statutory benefits, including interest on solatium. The decree and judgment will stand modified to the above extent.

The appeals are allowed as above.

KURIAN JOSEPH, JUDGE.

HARUN-UL-RASHID, JUDGE.

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KURIAN JOSEPH &

HARUN-UL-RASHID, JJ

L.A.A. Nos.212, 213 & 258 OF 2002

J U D G M E N T

Dated 20th September, 2007.